



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
-----------------	-------------	----------------------	---------------------	------------------

10/697,672

10/29/2003

Dan Li

INTEL/18112

8400

75343 7590 07/08/2009
Hanley, Flight & Zimmerman, LLC
150 S. Wacker Drive
Suite 2100
Chicago, IL 60606

EXAMINER

SHIH, HAOSHIAN

ART UNIT

PAPER NUMBER

2173

MAIL DATE

DELIVERY MODE

07/08/2009

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/697,672	Applicant(s) LI ET AL.	
	Examiner HAOSHIAN SHIH	Art Unit 2173	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 28 April 2009.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-30 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-30 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. Claims 1-30 are pending in this application and have been examined in response to application RCE filed on 04/28/2009.
2. The previously applied claim objection is hereby withdrawn in view of applicant's amendment.

Claim Rejections - 35 USC § 112

The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

3. Claims 1-30 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention.
4. As to claim 1, the recited limitation: "encoding a first human-computer interaction (HCI) signal with a first code to correspond to a first time;
encoding a second human-computer interaction (HCI) signal with a first code to correspond to a second time;
transmitting...base component..."

According to par. [0023] of the spec, the encoding of the signals are done at the stylus before transmission, however, the claim does not specify where the encoding is done. Further, if the method is done in lock steps, then the stylus or the base component must encode both the first and the second HCI signals before transmission. However, according to par. [0023], the signal encoding and transmission is done one signal at a time in real time.

The Examiner is aware of the invention as disclosed in accordance with par. [0023], however, the language in par. [0023] is not clearly disclosed in the claim.

5. As to claims 2-30, are rejected similarly to claim 1 above.

Claim Rejections - 35 USC § 102

6. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

7. Claims 1-30 are rejected under 35 U.S.C. 102(e) as being unpatentable over Moyne et al. (Moyne, US 7,109,979 B2).

8. As to **INDEPENDENT** claim 1, Moyne discloses a method to provide a handheld pointer-based user interface comprising:

encoding a first human-computer interaction (HCI) signal with a first code to correspond to a first time (col.1, lines 65-col.2 lines 2; a base appliance receives the HCI signal from the stylus at point “A” and encodes the HCI signal with a positional information associated with point “A”);

encoding a second human-computer interaction (HCI) signal with a first code to correspond to a second time (col.1, lines 65-col.2 lines 2; a base appliance receives the HCI signal from the stylus at point “B” and encodes the HCI signal with a positional information associated with point “B”);

transmitting via a first communication link the first HCI signal and the second HCI signal from a wireless pointer component to a base component that is operatively coupled to a screen of a display (col.1, lines 30-37; col.1, lines 49-54; a “first signal transmitter” that transmits a first signal at point “A” and a second signal at point “B”), wherein the first code and the second code differ to indicate a difference between the first time the second time (col.2, lines 52-55; each signal is encoded with a positional data at a given time, wherein the positional data are different to indicate different locations of the stylus; for example, a user draws a straight line between point “A” and

Art Unit: 2173

point "B" starting from point "A", the time it takes for the stylus to reach from point "A" to point "B" is the time difference between point "A" and point "B");

generating position information of the wireless pointer component based on at least one of the first and second HCI signals (col.1, lines 45-47; "position signals"); and

transmitting via a second communication link the position information from the base component to a processor configured to generate screen information on the screen of the display (col. 1 lines 34-37, lines 49-53; a detector assembly detects operation information from a stylus, the operation information is then received by a processing unit for displaying the operation information).

9. As to claim 2, Moyne discloses wherein the first time corresponds to a first position of the wireless point component, and wherein the second time corresponds to a second position of the wireless pointer component (col.1, lines 39-47; "ultrasound signal", col.2, lines 10-14, 'position signal receivers").

10. As to claim 3, Moyne discloses transmitting a third HCI signal associated with one of writing, drawing, selecting, or scrolling directly on the screen of the display with the wireless pointer component by a user (col.5, lines 29-50; col.6, lines 40-45).

11. As to claim 4, Moyne discloses wherein the screen of the display is associated with one of a desktop computer, a laptop computer, or a handheld computer (col.1, lines 49-54).

12. As to claim 5, Moyne discloses transmitting the first HCI signal and the second HCI signal from the wireless pointer component to the base component (fig.6, “110”, stylus sends positional signal, “118” base component process said positional signal) in response to one of pressing a tip of the wireless pointer component on the screen of the display, or pressing a button of the wireless pointer component (col.9, lines 63-65).

13. As to claim 6, Moyne discloses transmitting the position information from the base component to the processor via one or more communication links operating in accordance with one of an 802.11-based communication protocol, a Bluetooth-based communication protocol, or an infrared-based communication protocol (col.13, lines 65- col.14 lines 2).

14. As to claim 7, Moyne discloses converting the position information from a first format to a second format based on configuration information associated with one of the base component or the screen of the display (col.13, lines 65- col.14, lines 2).

15. As to claim 8, Moyne discloses generating one or more coordinates of the wireless pointer component relative to the screen of the display based on the position information (col.3, lines 65- col.4 lines 3; calculation of the coordinates or position are standard steps in any pointing device).

Art Unit: 2173

16. As to claim 9, Moyne discloses operatively coupling the one or more base components on a side of the display to receive the first HCI signal and the second HCI signal. (col.1, lines 60-65; the position signal receivers are configured to receive signals from multiple signal range; col.2, lines 21-23, attachment mechanism”; col.2, lines 30-33, “active display”; col.7, lines 38-40; the base device can be anywhere as long as the base component can receive HCI signals).

17. As to **INDEPENDENT** claim 10, see rationale addressed in the rejection of claim 1 above.

18. As to claim 11, see rationale addressed in the rejection of claim 2 above.

19. As to claim 12, see rationale addressed in the rejection of claim 3 above.

20. As to claim 13, see rationale addressed in the rejection of claim 4 above.

21. As to claim 14, see rationale addressed in the rejection of claim 5 above.

22. As to claim 15, see rationale addressed in the rejection of claim 7 above.

23. As to claim 16, see rationale addressed in the rejection of claim 8 above.

24. As to **INDEPENDENT** 17, see rationale addressed in the rejection of claim 1 above.

25. As to claim 18, see rationale addressed in the rejection of claim 2 above.

Art Unit: 2173

26. As to claim 19, Moyne discloses wherein the wireless pointer component comprises at least one of a stylus or an electronic pen (col.1, lines 30-31).

27. As to claim 20, see rationale addressed in the rejection of claim 8 above.

28. As to claim 21, see rationale addressed in the rejection of claim 4 above.

29. As to claim 22, Moyne discloses the display comprises at least one of a cathode ray tube (CRT) display, a liquid crystal display (LCD), a light-emitting diode (LED) display, and a plasma display (fig.2, "22"; col.1, lines 50-54; the use of common display types are well known in the art).

30. As to claim 23, see rationale addressed in the rejection of claim 6 above.

31. As to **INDEPENDENT** claim 24, see rationale addressed in the rejection of claim 1 above.

32. As to claim 25, see rationale addressed in the rejection of claim 3 above.

33. As to claim 26, see rationale addressed in the rejection of claim 19 above.

34. As to claim 27, see rationale addressed in the rejection of claim 8 above.

35. As to claim 28, see rationale addressed in the rejection of claim 4 above.
36. As to claim 29, see rationale addressed in the rejection of claim 22 above.
37. As to claim 30, see rationale addressed in the rejection of claim 6 above.

Response to Arguments

Applicant's arguments filed 04/28/2009 have been fully considered but they are not persuasive.

38. Applicant argues that Moyne does not disclose HCI signals are encoded differently to indicate a difference between a first time and a second time.

In response to Applicant's argument, Moyne discloses that each signal is encoded with a positional data at a given time, wherein the positional data are different to indicate different locations of the stylus; for example, a user draws a straight line between point "A" and point "B" starting from point "A", the time it takes for the stylus to reach from point "A" to point "B" is the time difference between point "A" and point "B" (col.2, lines 52-55; col.5, lines 55-67).

Art Unit: 2173

The Applicant may alleviate the current prior art rejection by clearly indicating the features disclosed in application spec. par. [0023].

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to HAOSHIAN SHIH whose telephone number is (571)270-1257. The examiner can normally be reached on m-f 0730-1700.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kieu Vu can be reached on (571) 272-4057. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

HSS

/Kieu Vu/

Supervisory Patent Examiner, Art Unit 2173